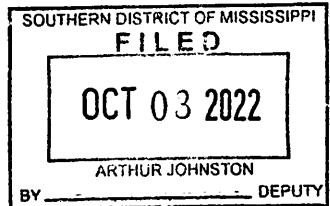


# UNITED STATES DISTRICT COURT

for the  
Southern District of Mississippi

Southern Division



JAMES T. BENNETT

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

SEE ATTACHED

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

1:22cv270 TBM-RPM  
(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

## COMPLAINT FOR A CIVIL CASE

### I. The Parties to This Complaint

#### A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

JAMES T. BENNETT

Street Address

1315 37<sup>th</sup> AVE

City and County

GULFPORT

State and Zip Code

MS 39501

Telephone Number

228-223-2114

E-mail Address

bennett.james57@yahoo.com

#### B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

memorial Hospital AT Gulfport  
Kent G. Nicaud  
Through its President + CEO  
4500 Thirteenth ST.  
Gulfport  
MS 39501  
228-867-4000

Defendant No. 2

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

MYRON S. McCoo  
JD Vice President, HR  
4500 Thirteenth ST.  
Gulfport  
MS 39501  
228-867-4000

Defendant No. 3

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

Shona Reeves  
HR Manager  
4500 Thirteenth ST.  
Gulfport  
MS 39501  
228-867-4000

Defendant No. 4

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

Amberely Bostwick  
HR Business Partner  
4500 Thirteenth ST.  
Gulfport  
MS 39501  
228-867-4000

## Defendant No. 5

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

TONY ALVES  
MSHRM, Director of HR  
4500 Thirteenth ST.  
GULFPORT  
MS 39501  
228-867-4000

## Defendant No. 6

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

ANTON COOPER  
Director of Security  
4500 Thirteenth ST.  
GULFPORT  
MS 39501  
228-867-4000

## Defendant No. 7

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

NORMAN POPE  
LT Supervisor of Security  
4500 Thirteenth ST.  
GULFPORT  
MS 39501  
228-867-4000

## Defendant No. 8

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

LESTER BENNETT  
Former Security Manager  
4500 Thirteenth ST.  
GULFPORT  
MS 39501  
228-867-4000

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

TITLE VII of the Civil Rights Act of 1964

### B. If the Basis for Jurisdiction Is Diversity of Citizenship

#### 1. The Plaintiff(s)

##### a. If the plaintiff is an individual

The plaintiff, (name) James T. Bennett, is a citizen of the  
State of (name) Mississippi.

##### b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_,  
and has its principal place of business in the State of (name) \_\_\_\_\_.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

#### 2. The Defendant(s)

##### a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of  
the State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) Memorial Hospital, is incorporated under the laws of the State of (name) Mississippi, and has its principal place of business in the State of (name) Mississippi.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

Notice of Right to Sue LETTER DATED 12 JULY 2021

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

SEE ATTACHED

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IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

SEE ATTACHED

### **III. Statement of Claim**

**Defendant No. 1 - Kent G. Nicaud, President and Chief Executive Officer**

Wrongful termination effective 19 May 2022, due to race. Denied due process, retaliation, harassment, created hostile work environment, failure to promote. Totally disregarded my letter dated 24 May 2022.

**Defendant No. 2 – Myron S. McCoo, JD Vice President, Human Resources**

Spoke with Mr. McCoo on or about Jan-Feb 2022, concerning being harassed by Security Dept. failing to be promoted, being discriminated against and fearing retaliation. Shortly after, wrongful termination effective 19 May 2022 and denied due process. Totally disregarded my letter dated 27 May 2022.

**Defendant No. 3 – Shona Reeves, Human Resources Manager**

Wrongful termination effective 19 May 2022. Failure to investigate bogus alleged allegations. Denied due process.

**Defendant No. 4 – Amberely Bostwick, Human Resources Business Partner**

Wrongful termination effective 19 May 2022. Failure to investigate bogus alleged allegations. Denied due process. Sent Ms Bostwick, letter dated 31 May 2022 and still was denied process.

**Defendant No. 5 – Tony Alves, Director of Human Resource**

Wrongful termination effective 19 May 2022. Failure to investigate bogus alleged allegation. Denied due process.

**Defendant No. 6 – Anton Cooper, Director of Security Department**

Failed to properly conduct a thorough investigation on a bogus allege allegation. Denied due process and was wrongfully terminated effective 19 May 2022.

**Defendant No. 7 – Norman Pope, Lieutenant Supervisor of Security Department**

He initiated the false allege allegation, forced individuals to conjured up false statements. Allege accuser made a racial slur comment “fucking Nigger” and accuser was never disciplined. Denied due process and this caused the onslaught of my demise....leading to wrongful termination.

**Defendant No. 8 – Lester Bennett, Former, Security Manager**

Glyn Gilbert (former Sgt with Security Dept) stated that Lester Bennett instructed all supervisors to document all my comings and goings, being stalked on cameras. Mr. L. Bennett stated as long as he is in charged, I will never be promoted and he passed that message onto Norman Pope. Norman Pope carried out his message after Mr. L. Bennett retired.

#### **IV. Relief**

**Compensatory damages - for mental anguish, emotional distress, humiliation, inconvenience, loss of enjoyment of life, pain and suffering, loss of earnings with interest and including overtime. Seeking \$300,000**

**Punitive damages – malicious and or reckless act of discrimination, illegal conduct and intentional infliction of emotional distress. Seeking \$1,700,000.**

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

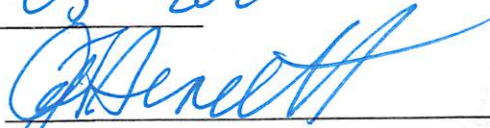
**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10-03-2022

Signature of Plaintiff

Printed Name of Plaintiff

  
JAMES T. BENNETT

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

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